

ARKANSAS COURT OF APPEALS
NOT DESIGNATED FOR PUBLICATION
JOHN MAUZY PITTMAN, CHIEF JUDGE
DIVISION IV

CACR06-776

March 21, 2007

JAMES EARL BRADFORD
APPELLANT

APPEAL FROM HEMPSTEAD
COUNTY CIRCUIT COURT
[NO. CR-05-204-1]

V.

HON. KEITH NEWTON WOOD,
JUDGE

STATE OF ARKANSAS
APPELLEE

REBRIEFING ORDERED

The appellant was found guilty by a jury of possession of a controlled substance with intent to deliver, possession of a controlled substance, possession of drug paraphernalia, and simultaneous possession of drugs and firearms. He was sentenced to twenty years' imprisonment. On appeal, he argues that the evidence is insufficient to support his conviction of simultaneous possession of drugs and firearms, and that the trial court erred in denying his motion to suppress evidence obtained in a search of his residence because the search warrant was illegally obtained.

We do not address the merits because appellant has failed to adequately abstract the record in his brief as required by Ark. Sup. Ct. R. 4-2(a)(5) in that appellant has not provided us with a condensation of the witnesses' testimony, but has instead reproduced it verbatim

in question-and-answer format. *See Muldrow v. Douglass*, 316 Ark. 86, 870 S.W.2d 736 (1994).

We direct appellant to submit a substituted brief that contains a revised abstract that provides a condensation of the witnesses' testimony in accordance with Ark. Sup. Ct. R. 4-2(a)(5). A model brief with examples of proper condensation of testimony can be found on the Arkansas Judiciary website at http://courts.state.ar.us/clerk/model_20030724.pdf. Appellant has fifteen days from the date of this opinion to file a substituted abstract, brief, and addendum to conform with Rule 4-2(a)(5). *See Jones v. Phillips County Election Commission*, 357 Ark. 384, 167 S.W.3d 662 (2004). Mere modifications of the original brief will not be accepted. *Id.* According to Rule 4-2(b)(3), if appellant fails to file a complying abstract, addendum, and brief within the prescribed time, the judgment may be affirmed for noncompliance with the Rule. *Id.*

Rebriefing Ordered.

GRIFFEN and VAUGHT, JJ., agree.